

TAKE THIS BOOK

DEFENDANT AND FAMILY HANDBOOK

Provided by:
The Office of the Metropolitan Public Defender
Suite 2022, Parkway Towers
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Ross Alderman, Metropolitan Public Defender

INTRODUCTION

The Metropolitan Public Defender's Office is pleased to have produced this book to assist our clients, their families, and individuals interested in the work of our office. Hopefully, this Handbook will answer many frequently asked questions. Nevertheless, I encourage you to call our office and to speak directly to a staff member. If you have a complaint or suggestion, please call me directly.

The Public Defender's Office is a public agency and we strive to serve the public to the best of our abilities. Like anyone, we can benefit from constructive criticism.

I speak for the entire office when I say we are proud to be Public Defenders. It is indeed rewarding to make the Sixth Amendment guarantee of assistance of counsel a reality. The criminal justice system in this country faces many problems and challenges. The Metropolitan Public Defender's Office would like to be part of the solution.

Ross Alderman

Metro Public Defender

USING THIS HANDBOOK

The Defendant and Family Handbook is designed to help you and your family understand the criminal process, the legal steps your case will go through, how your public defender will handle your case, and what resources are available to help you and your family get through this difficult time.

In writing the Handbook, we have tried to be as accurate as possible, but the criminal justice system is always changing and every case is different. The Handbook is only a guide and you should always listen to your attorney since your attorney knows your particular case. Families should also double-check visitation times with the jail or the Family Support Program before you make a trip to the jail.

After an introductory section about the Office of the Metropolitan Public Defender, this Handbook has sections about:

The Legal Process	Page 7
Programs in the Jail	Page 38
Information for the Family	Page 47

THE PUBLIC DEFENDER'S OFFICE

The lawyers in the Office of the Public Defender are appointed by the courts of this county to represent people who have been accused of crimes and do not have money to pay a lawyer. The Public Defender's Office does not handle civil cases and does not bring lawsuits or criminal charges against people.

The Public Defender's Office is a branch of the Davidson County Government. Ross Alderman, the Public Defender, is a lawyer elected by the voters of Davidson County to a four-year term. The other lawyers in the office are called assistant public defenders.

The Public Defender's Office represents both adults and juveniles. The juvenile division is located in the Juvenile Justice Center, 100 Woodland Street. The Adult Division is located in Suite 2022, 404 James Robertson Parkway, across the street from Municipal Auditorium.

In addition to the lawyers in the office, your case will receive the attention of support staff that includes paralegals, investigators, social workers, interns and secretaries.

All lawyers in the Public Defender's Office are licensed to practice law in the State of Tennessee and must attend classes every year to learn new developments in the law. The office holds training classes for the staff and always keeps up with the latest legal decisions.

KEEPING IN CONTACT WITH YOUR ATTORNEY

Lawyers, investigators, social workers, and interns from the Public Defender's office make regular visits to the jails to talk to their clients. Your lawyer will meet with you as often as needed, but they cannot see you every time they are at the jail or as often as you may wish they could.

A telephone call or letter to your lawyer can often solve many problems. Public Defenders will accept collect calls from the jail (but not every call since it is expensive).

The Metro Mail service will deliver your letters to this office free of charge. If you call your lawyer, do not talk about your case where others may hear. If you write to your lawyer, please do not have someone else write for you or read what you have written.

Remember, what you tell your lawyer is confidential and privileged as long as it remains between you and your lawyer or your lawyer's assistants. Information you give your lawyer will not be used against you.

THE PUBLIC DEFENDER'S OFFICE

CONTACT INFORMATION

Main Telephone Number – 615-862-5730

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Juvenile Office Mailing Address:

Juvenile Justice Center
Lower Level
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Telephone: 615-862-5740
Fax: 615-862-5709

THE ADULT LEGAL PROCESS

Following Your Case	8
The Legal Process	9
First Court Appearance and Bond.....	10
Types of Bond.....	11
Appearing in Court	12
Bond Docket: Misdemeanors.....	13
Jail Docket: Misdemeanors.....	14
Bond Docket: Felonies.....	15
Grand Jury or Information	16
The Legal Process: Indictment-Appeal.....	17
Arraignment	18
Court Appearances.....	19
Investigating Your Case.....	20
Preparing Your Case	21
Motions	22
Settlement Docket.....	23
Pre-Trial Diversion	24
Pleas	25
The Trial: The Process	26
The Legal Process: Trial	27
The Trial: Presentation of the Case.....	28
Pre-Sentence Investigation.....	30
Sentencing Hearing.....	31
Incarceration	32
Probation.....	33
Community Corrections.....	34
The Drug Court	35
Day Reporting Center	36
Appeal.....	37

FOLLOWING YOUR CASE

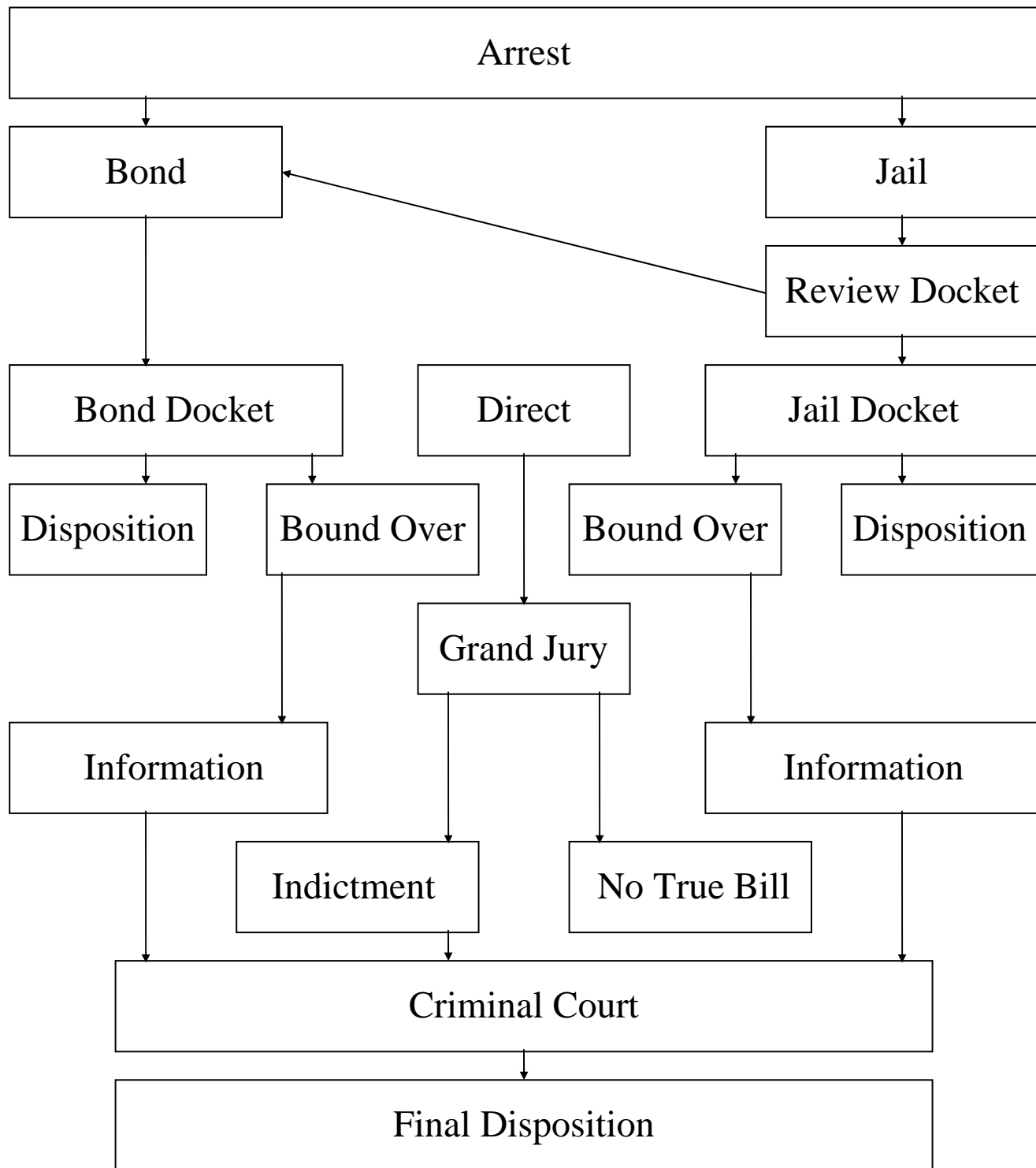
The legal process is very hard to understand. There are many steps in the process and you will have several decisions to make. Your attorney will explain all of your choices and help you to make the best decision.

The charts on pages 9, 17, and 27 try to show the steps of the legal process and how a normal case would flow through the system. Since every case is different, they may not show the exact steps of your case, but they are close. Keep these diagrams handy and when you are talking to your attorney, she or he can explain where you are in the process and explain the next steps.

Many of the steps on these diagrams are explained in the sections that follow. Your attorney will help you to understand these steps, but you should read this Handbook carefully so that you can help in making important decisions.

THE LEGAL PROCESS

The following chart describes the process from arrest through indictment by the Grand Jury.



FIRST COURT APPEARANCE AND BOND

If you are arrested, you will have your first court appearance before a Commissioner in what is commonly called “Night Court.” Night Court is open 24 hours a day on the bottom floor of the Criminal Justice Building located at 448 2nd Avenue North. The Commissioner will tell you what you have been charged with and will set the amount of your bond.

Bond is an amount of money paid in order to release you from jail while you are waiting for your case to go to court. The reason for the bond is to make sure you come back to court. You do not have the right to a bond if you are charged with a crime that carries the death penalty or are being held on a parole violation.

In deciding the amount of bond, the Court will look at the kind of crime that you have been charged with, the evidence against you, your prior criminal record, if you have failed to appear in court before, how long you have lived in the area, family and friends in the area, employment, and how long you have had your job. The presence of your family or employer in court may be helpful in getting a lower bond. If your bond is too high, your lawyer can file a motion asking that your bond be lowered.

TYPES OF BOND

There are several types of bond. If you have no criminal record and meet several other special conditions, you may be released from jail through the Pre-Trial Release Program. Pre-Trial Release is the only type of bond where you are not required to post any money or property. You will be assigned to a Pre-Trial counselor and you will call to report once a week.

Other types of bond include:

1. Cash Bonds

You or someone puts up the entire bond amount. You will get the money back if you turn in the receipt to the Criminal Court Clerk's Office at the end of your case.

2. Bonding Company

Generally, bonding companies will charge you 10% of your bond plus \$37. For example, if your bond is \$1000 the bonding company will charge you \$137. This money is not refundable. Professional bondspersons are listed in the back of this book and they will be glad to explain bond to you.

3. Property Bonds

You must own land without a mortgage or a lien on the property. You can take the title to the Criminal Court Clerk's Office and they will allow you to make the bond. If you do not show up to court, you lose the property.

APPEARING IN COURT

If you are released on bond, your first court appearance will be on a Bond Docket on the third floor of the courthouse. It is very important that you appear in court on the correct date and on time. You also need to have a lawyer at that time. Do not plan on coming to court and asking for time to get a lawyer—have your lawyer when you come to court the first time.

If you want to be represented by a lawyer from the Public Defenders Office, you need to come to our office on the 20th floor of Parkway Towers (right across from the courthouse) **immediately**. Do not wait until a week or two before your court date to contact the Public Defender's Office. Contact the office as soon as you know your court date so you and your lawyer will have plenty of time to meet and prepare your case.

If you are given a citation, instead of being arrested you will be required to appear for booking within one-week of getting the citation. The booking office will give you a court date on a Bond Docket. You will need a lawyer for the Bond Docket, even if you are just charged with a citation.

BOND DOCKET: MISDEMEANORS

Bond Dockets are held Monday-Friday in General Sessions Court in the Ben West Building. If you are charged with a misdemeanor offense (a crime for which the punishment is less than one year in jail), your case may be settled on this docket.

Your case can be settled by what is called a plea agreement. A plea agreement is when the district attorney agrees to reduce the charge, dismiss all or part of the charge, and/or recommend an agreed punishment in return for your guilty plea. If you cannot agree, you can have a trial.

There are no juries in General Sessions. You can have a bench trial where the judge hears the proof, decides if you are guilty or not guilty, and sets the punishment if you are found guilty. If you are unhappy with the outcome of the bench trial, your attorney can file an appeal. Ask your attorney about this.

If you want a jury trial your case must be bound over to criminal court. Usually you will have a preliminary hearing where the judge decides if there is “probable cause” that you committed a crime. If the judge finds probable cause then your case will be sent to the grand jury. Sometime in the future, usually between two and six months, your bonding company will inform you of your next court date in criminal court.

JAIL DOCKET: MISDEMEANORS

If you have not made bond, your case may be reviewed before you appear on the Jail Docket. This “Review Docket” takes place the day after your arrest and is held Monday through Friday. Your case may be settled if you are charged with a minor misdemeanor; in very rare cases your bond may be reduced. Witnesses and people who bring charges are not present at this Review Docket. Most cases must be set on a Jail Docket in order to have all interested parties present to discuss the case.

The Jail Docket is the same as the Bond Docket as far as what the court can and cannot do with your case. The main differences are that you are still in jail, your case will be heard within a few days of your arrest and you and your lawyer will not have as much time to prepare.

Jail Dockets are held Monday-Friday in the Criminal Justice Center. The Public Defender’s Office sends at least three lawyers to this Court every day. They will receive a copy of the charge against you the day before your court appearance and your lawyer will talk to you in the morning before you are taken to court.

BOND AND JAIL DOCKET: FELONIES

During the Bond Docket or the Jail Docket, General Sessions Courts cannot have trials or accept plea agreements on felony charges. If you are charged with a felony offense (a crime for which the least amount of punishment is one year in jail), your case will only be settled if it is reduced to a misdemeanor.

The General Sessions Court can have a preliminary hearing to decide if there is probable cause for your case to continue on to the next level. The only things the judge will be deciding are if there is

1. A reason to believe a crime was committed and;
2. A reason to believe you were the one who committed the crime.

In serious felony cases, the State will demand a preliminary hearing and there will not be a chance to settle your case or get your bond reduced in General Sessions Court. After the hearing, if the judge decides there is probable cause or if you decide not to have a hearing, your case will be sent to the next level. This is called binding over to the Grand Jury and your case is referred to as "bound over."

It is very important to discuss the advantages of a preliminary hearing with your lawyer.

GRAND JURY OR INFORMATION

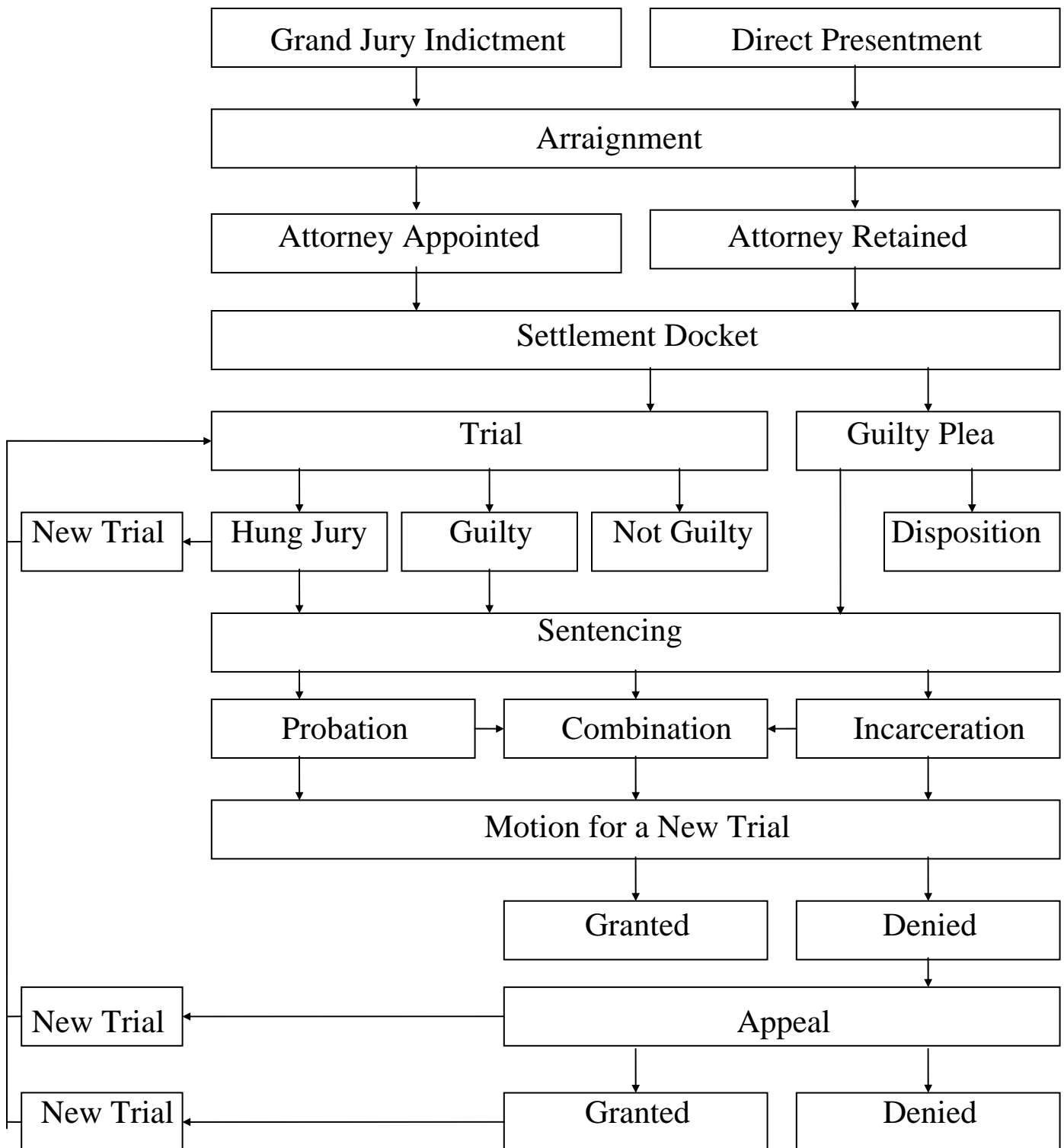
Your case will go to the Grand Jury by Direct Presentment or by being bound over after the Preliminary Hearing. Direct Presentment is when the prosecutor goes directly to the Grand Jury through a "Sealed Indictment". If a General Sessions judge dismisses a case at the Jail or Bond Docket, the prosecutor may seek a Direct Presentment.

The Grand Jury consists of thirteen people who hear evidence and determine if you should be formally charged with a crime. You and your lawyer do not have the right to appear before the Grand Jury and they do not determine guilt or innocence. Their job is to determine if there is good reason or "probable cause" to charge you.

If the Grand Jury determines there is probable cause, they return a True Bill, which means you have been "indicted" and your case, will be set for Arraignment. If the Grand Jury returns a No True Bill, the case against you is over unless the District Attorney resubmits the case to a new Grand Jury and that Grand Jury indicts you.

Your lawyer can get a court date sooner if you agree to bypass the grand jury by and "Information" and go directly to Criminal Court. An Information is an agreement between you and the district attorney to settle on a deal that will be entered in Criminal Court, usually within two months.

THE LEGAL PROCESS: INDICTMENT-APPEAL



ARRAIGNMENT

When a case has been indicted by the Grand Jury, it is assigned to one of the Criminal Courts and set for arraignment.

Arraignments are held at different times in each of the Courts and follow slightly different procedures. Basically, the Court is concerned with whether or not you have a lawyer and if not, if you qualify for the services of the Public Defender. The judge will ask you questions and/or have you fill out a paper with questions about your income, bills, and family to find out if you can afford to pay a lawyer. If you cannot pay a lawyer, the judge will appoint one to represent you.

Your lawyer will receive a copy of the indictment against you and enter a plea of “Not Guilty” on your behalf. Most courts also require that you or your lawyer state your date of birth and social security number. Your case is then set off several weeks to a Settlement Docket.

During the weeks between your arraignment and settlement, your lawyer will discuss your case with you, file motions, do investigation and research, and discuss the charges and proof with the district attorney. It is very important for you to remain in contact with your lawyer during this time.

COURT APPEARANCES

You must appear in court, on time, for all scheduled court dates and hearings unless your lawyer has told you not to attend.

If you change your address or phone number while waiting for your case to be resolved, you must notify your bondsman and your lawyer. If you have been released without a bondsman, notify the Criminal Court Clerk's office.

Always arrive early for your court appearance, as your lawyer may need to discuss your case with you. If an emergency prevents you from being in court, or if you must be late, notify your bondsman and your lawyer immediately. If no one knows where you are when your name is called, the judge may revoke your bond and issue a warrant for your arrest. This means the police will arrest you again and you are no longer on bond.

INVESTIGATING YOUR CASE

Anything you tell your lawyer or your lawyer's investigator is confidential. You should never discuss the facts of your case with anyone else, including your family and friends, unless your lawyer has told you to do so. Information you give to other people may be used against you in Court - be careful.

You should play a very important part in the investigation of your case. Your lawyer needs to know as soon as possible the names and addresses of any witnesses. You can help by finding witnesses and notifying your lawyer by letter, phone, or coming into the office. If you are in jail, your family and friends may be able to help.

A witness can be anyone who was present when the incident occurred, who knows you could not have committed the crime because you were somewhere else when the crime occurred, or has any information that may show that you are not guilty or the crime was not as serious as the State claims.

PREPARING YOUR CASE

To represent you properly in court, your lawyer must investigate, research, and prepare your case. Extra time in preparation may save you from years in jail.

If you are unhappy with the way your case is being handled, talk to your lawyer. If you have talked to your lawyer and you are still unhappy, write to Ross Alderman, the Public Defender. Personality conflicts can occur. Your concern should be your lawyer's ability to represent you in Court, not whether or not you like him or her.

After arraignment, your lawyer will file a discovery motion for witness lists, statements, reports, and other information about your case. Your lawyer will also talk to you and the district attorney to determine if a settlement can be reached. The district attorney (D.A.) represents the people who have charged you with a crime.

Your lawyer will review the evidence with you, explain the law under which you are charged, and discuss all possible defenses you may have. You will also talk about the strengths and weaknesses of the State's case and your chances at success should you go to trial. The possible punishments for the crime with which you are charged will also be explained to you.

MOTIONS

Your lawyer may determine that certain motions should be filed in your case. A motion is where your lawyer is asking the judge to decide something such as whether a line-up identification or statement should not be used against you, whether certain evidence should not be used, or where you and your lawyer need the judge's help to find information to prepare your case. After any motion is filed, it will be set for hearing in court and the judge will rule on it.

If you feel a motion should be filed in your case, talk to your lawyer and let your lawyer file it. It is not a good idea for you to file your own motions because you are not a lawyer and you may include information in your motion that could hurt your case. Allow your lawyer to handle motions for you.

SETTLEMENT DOCKET

Your next scheduled court appearance after your arraignment is on a Settlement Docket. Settlement Dockets are held on different days and times in each of the Criminal Courts.

Settlement Dockets are when you can enter your plea if you, your lawyer, and the district attorney have reached a plea agreement. If a plea agreement is not possible, a trial date will be selected for some time in the future.

The decision whether to enter a plea or take a case to trial is yours. The Public Defender's office will advise you but the final word is yours.

PRE-TRIAL DIVERSION

Pre-Trial Diversion is for first offenders and offers something other than formal prosecution. The program is very selective and cannot accept people until they have been screened by the Sheriff's Department, recommended by the district attorney, and accepted by the judge.

Basically, this program includes placing a person on probation for a specific period of time without any finding of guilt. If the probation is completed, the charge is dismissed. If the probation is not successfully completed, the case is set on a Settlement Docket again.

If you have no prior criminal record, ask your lawyer if you may be eligible for diversion.

PLEAS

There are basically three ways you can plead: 1) not guilty, 2) guilty, and 3) nolo contendere (no contest).

A not guilty plea is entered when you are not guilty of the crime, when you are not sure which plea to enter, when there is not enough evidence to prove your guilt, or when you want a trial. A not guilty plea can be changed later.

If you plead guilty or nolo contendere, the judge must be convinced that there is a factual basis for your plea, you understand what you are pleading to, you understand your rights when you plead guilty, and no one has forced you to enter a plea. If you plead guilty, you must admit you committed the crime. If you plead nolo contendere, you do not admit your guilt, but the judge finds you guilty.

When you plead guilty or nolo contendere, you give up your right to trial, to confront the witnesses, and to remain silent. You cannot appeal a guilty plea. The only remaining issue is your sentence.

Most guilty and nolo contendere pleas are entered as part of a plea agreement. A plea agreement is when the district attorney agrees to reduce the charge, dismiss all or part of the charges, and/or recommend a sentence in return for your plea. Plea agreements can only be entered with your approval and the judge's acceptance.

THE TRIAL: THE PROCESS

If your case is not settled on a Settlement Docket, it will be set for trial. There is a diagram on the following page that shows some of the basic steps in most criminal trials. If you have any questions, ask your attorney.

A jury trial is where the judge presides and people from the community determine whether you are guilty. A bench trial is where the judge decides the case. You and your lawyer must decide whether you want a jury or bench trial. Both the defendant and the State have the right to demand a jury trial.

If you have a trial, you and your lawyer must make several decisions about the presentation of your defense including whether or not you will testify. You are not required to testify, but you can testify. Your lawyer will give you advice about this and help you decide.

You and your lawyer must be ready for your trial on the date it is set even though there is a chance that you may not be tried on that date. There are many people waiting for a trial so the judge often sets several cases for trial on the same day. Another case may take priority over your case if it has been set once before, if the defendant is in jail and you are not, or if another good reason is shown. You may not know until you are in Court for your trial whether or not you will actually be tried that day. It is very important, however, that you and your lawyer be prepared for trial.

THE LEGAL PROCESS: TRIAL

Steps in the Trial Process	Court Action	Action	
		Argues against defense motions	Files motions concerning certain aspects of the case
Motion in Limine	Rules on the Defense Motion	Asks questions. May strike someone from jury	Asks questions. May strike someone from jury
Jury Selection	Jurors asked about their ability to sit on a jury		
Reading of the Indictment			Responds to the charges with a plea of not guilty
Defendant Enters Plea		Makes a statement about what they can prove	Makes a statement about what they can prove
Opening Statements		prove Puts on witnesses and evidence to	Cross-examines witnesses and objects to evidence
State's Proof	Judge rules on objections	prove guilt	Asks for acquittal because not enough proof
Motion for Acquittal	Judge rules on motion and can acquit Judge rules on the	Cross-examines witnesses and objects to evidence	Put on witnesses and evidence to prove innocence
Defense Proof	objections	Puts on witnesses and evidence to rebut	Cross-examines witness and objects to evidence
Prosecution's Rebuttal		defense proof Makes a statement about what they proved during trial	Makes a statement about what they proved during trial
Closing Argument			
Jury Instructions	Judge instructs the jury about to decide innocent or guilty		
Deliberations	Jury meets to decide	Defense Action	
	Prosecutor		

THE TRIAL: PRESENTATION OF THE CASE

A jury is used in most trials. The district attorney and your lawyer will each question the people who may be on the jury and try to select the best ones to hear your case. You will help your lawyer in making this decision.

After a jury has been selected, each side makes an opening statement telling the jury about the case. Then the district attorney presents his/her witnesses and evidence and your lawyer can question these witnesses.

Before a person can be convicted of a crime, the DA must present evidence proving beyond a reasonable doubt that the accused person committed a crime. Evidence may be a physical thing like a gun, a fingerprint or a lab report. Evidence is also the testimony of a witness who says that he or she saw, heard or did something that is relevant to the trial.

After the district attorney's witnesses are finished, your lawyer can ask the judge to enter judgment of acquittal (not guilty) if the district attorney did not present enough evidence to prove your guilt. If this motion is denied, your lawyer may then present defense and evidence. The decision as to how best to defend you is very complicated and you should discuss it very carefully with your lawyer.

When all the evidence has been presented, each side then makes a final argument to the jury. The judge then tells the jury what rules of law they should apply while trying to make their decision. The jury then goes into a jury room to talk

about the case and try to reach a unanimous decision as to whether or not you have been proven guilty. They must all agree. If they cannot reach a unanimous decision, a mistrial occurs and your case is set for another trial.

PRE-SENTENCE INVESTIGATION

If you plead guilty or nolo contendere without an agreement as to sentence, or if you are found guilty after a trial, the judge will set a date for a sentencing hearing and order that a pre-sentence investigation (PSI) report be prepared. The PSI gives the judge information he or she needs to help decide your sentence.

A probation officer will question you and may question your family, friends, employer, and witnesses in order to prepare this report. The PSI will include a statement of the facts of your case, your prior criminal record, family background, employment history, and possibly a statement from you. Be truthful with the probation officer because all information is verified and any untruthful statements will be reported to the judge. In making any statements, be careful not to discuss the actual facts of your case until you have first talked to your lawyer. Your lawyer can help you in filling out the forms for the probation officer and advise you as to how you should conduct yourself.

After the report has been prepared, your lawyer will receive a copy, review it with you, and prepare for your sentencing hearing.

SENTENCING HEARING

The judge will review the PSI report and consider other testimony at the Sentencing Hearing. He/She will give you an opportunity to talk. You and your lawyer should discuss this and carefully prepare for your testimony should you decide you want to talk to the judge. The judge will also consider statements from the district attorney, your lawyer, and other interested persons. If you have people who would testify on your behalf, be sure to give their names and addresses to your lawyer so they can be contacted before your hearing.

Remember, every case and every defendant are different. Do not try to compare your sentence to sentences received by others in their cases.

INCARCERATION

You may be sentenced to a period of time in either a county or state facility. There are many different places, amounts of time, and programs involved in the incarceration process. You should discuss these options with your attorney.

The maximum time on a misdemeanor is 11 months and 29 days. All this time will be in one of the county jails. You may be able to do this time at the Pre-Release Center where you attend your regular job during the day.

If you have a felony conviction with a sentence of 6 years or less, you will spend that time in a jail or the Metro Detention Facility in Nashville rather than a state prison.

The judge can give you a "split sentence". This means that you will be locked in the jail for a period of time, then the judge will put you on probation.

If your sentence is over 6 years, you will be incarcerated at one of the state prisons. There are many state prisons in Nashville, including the only women's prison, but there is a chance that you may be sent to a prison elsewhere in the state.

How much time you actually have to serve depends on the crime, your criminal record, and your behavior while locked up. If you do not break the rules while incarcerated and are involved in programs, your time may be shorter.

PROBATION

Probation is a privilege, not a right. Probation means that you do not serve your sentence in a jail, but must live by certain rules to stay out of jail. Talk to your lawyer about whether or not you are eligible for probation and what your chances are of receiving probation.

If placed on probation, the judge will make several conditions part of your probation. These conditions may include: 1) reporting regularly to your probation officer, 2) notifying and receiving permission before changing your address, changing your job, or traveling out of state, 3) receiving drug or alcohol treatment, 4) obtaining a G.E.D., 5) keeping a full-time job, 6) paying back money to the victims, 7) not committing any other crimes and 8) public service work.

Everyone on probation must pay \$45 a month to his or her probation officer. Your attorney can ask that you not be made to pay the \$45 if you are unable to pay.

If you violate any probation conditions, a hearing will be held and the judge may “revoke” your probation and sentence you to jail. If you are charged with another crime while you are on probation, the judge can revoke your probation without waiting to see if you are convicted of the new charge. You will have a hearing if you are charged with a probation violation and the judge will decide what should be done.

COMMUNITY CORRECTIONS

Tennessee law provides another alternative to jail for people who are not eligible for probation. Under community corrections, you are actually given a sentence to serve in the community.

A sentencing plan is put together and that plan is presented to the judge at your sentencing hearing. The plan may require you to do public service work in the community, pay money to the victim, report to a special probation officer every day, go through drug or alcohol treatment, or anything else the judge feels will help you to not break the law again and pay back the community for the damage you have done.

Community Corrections has several specific conditions, which you should discuss carefully with your lawyer before deciding to request a screening for acceptance.

The main differences between probation and Community Corrections is that Community Corrections requires more from you. Because you earn a day of jail credit for every day you are on Community Corrections successfully, you are required to meet more requirements than with probation. However, if you violate Community Corrections, the Judge may increase your sentence if your Community Corrections is revoked.

THE DRUG COURT

The drug court consists of two phases, an inpatient program and an out patient program. Each phase can last from 3 months up to a year depending upon the progress of the individual resident. The services provided by these programs include drug and alcohol treatment, a therapeutic living environment, educational and vocational services, and community support for the resident making a transition from residential treatment to community placement. There is a screening process for admission into the drug court program. To be admitted to “Drug Court”, the client must have a 10-year sentence or less, no history of violent offenses, and dependency on narcotics, which prompts their criminal behavior. The program is a VERY strict form of community corrections. The residents who do not live up to the conditions of their community corrections frequently have their jail sentences increased. Although the program is intensive, it has proven effective for those clients who commit themselves to a drug-free life.

THE SHERIFF'S DAY REPORTING CENTER

The Sheriff's Department has a program for people who are guilty of misdemeanor offenses and who otherwise would receive time in jail. The Day Reporting Center (DRC) takes defendants who would be in jail and places them in intensive treatment for alcohol or drug problems; it provides job and GED training; and it has a special program to help people find a better way to live their life so they don't keep getting in trouble with the law. People in the Day Reporting Center, at first, must report 4 times a week to the Center, which is by the Old Howard School. There are strict curfews and random drug screens. Your lawyer will be able to tell you if you are possibly eligible for the Day Reporting Center; but it is up to the Day Reporting Center and your judge whether you actually are allowed in.

APPEAL

The Public Defender's office has an appellate division that will work on the appeal of your case if an appeal becomes necessary. You can appeal a conviction, a sentence given by the judge, or rulings on motions that affected the evidence in your case. An appeal will only help you if the judge did not follow the law or if you were prevented from properly exercising your legal rights.

The first step in an appeal is a motion for new trial, which is heard by the same judge who presided over your trial. If this motion is denied, a notice of appeal is filed with the Court of Criminal Appeals. If your case is appealed, the judge may set an appeal bond that would allow you to remain out of jail if the bond is posted until a decision has been made on your appeal.

If you plead guilty to a crime as part of a plea bargain, you cannot appeal your conviction, but you can appeal your sentence. If you feel that the sentence the judge gave you was too harsh, your attorney can file an appeal with the Court of Criminal Appeals.

You should discuss the appeal process with your lawyer immediately after your trial or sentencing because there are very strict time limitations on filing.

TREATMENT PROGRAMS

Programs in the Jail.....	39
Lifelines and Chances	40
New Avenues and SAVE.....	41
12 Step Programs	42
Mental Health Services	43
Religious Programs	44
Educational Classes	45
Work Release	46

PROGRAMS IN THE JAIL

Jail time does not have to be wasted time.

There are several programs that operate in the jail that can help you in kicking your drug or alcohol addiction, building a stronger family, or just dealing with personal problems.

There are many advantages to being in programs:

- You can deal with the problems that may be the cause of you being arrested.
- Your time in jail will seem to go faster if you are involved in a program rather than sitting around doing nothing.
- The judge may consider your participation in the program and give you a lighter sentence or a time cut.
- Some programs will help your family during the time you are locked up.

The judge may make a program part of your sentence. The judge may require you to successfully complete a drug and alcohol program before you can be released. Whether you are required to go to a program or you choose to attend, you should take advantage of what the program has to offer.

The next few pages describe some of the programs available to you in the jail, what is required of you if you are in the program, and how to be involved. The sooner you get in a program, the sooner it can start helping you.

LIFELINES AND CHANCES

Lifelines, the treatment program for men that are incarcerated at CCA, is a modified long-term treatment program lasting from 6-9 months. Lifelines supports the notion that long-term treatment has more of an impact on participants than regular 30-day programs.

To be admitted to the Lifelines program, the defendant should have a history of alcohol and/or drug abuse and a minimum of 135 days to serve in jail. The program is staffed by professional treatment staff as well as ex-offenders and recovering addicts.

Chances is the 6-month treatment program for females at the Metro Detention Facility. During the treatment part of the program there are health and wellness programs, group therapy, lectures, and workshops. During aftercare there is an emphasis on Positive Mental Attitude, the 12 steps, and relapse prevention.

If you are interested in either of these programs, talk to your attorney or counselor.

NEW AVENUES AND SAVE

New Avenues is a 45-day substance abuse treatment program operated by the Sheriff's Department. The New Avenues Program is operated out of the CWC Facility off Harding Place.

Comprehensive in its approach to substance abuse, New Avenues utilize the services of a multi-disciplinary team including a certified substance abuse counselor, psychologist, therapist, teacher, medical staff, and case manager. The involvement of your family is important to the program and will be expected.

Involvement in this program requires you to be sentenced for at least 60 days to the Metro Jail. This allows time for you to be interviewed and accepted in the programs. After successful completion of the 45-day program, participants are expected to be involved in aftercare at the Day Reporting Center for a period of one year.

SAVE is a six-week program for defendants that have problems with domestic violence. The program assists clients in learning how to end the violent behavior and replace it with responsible actions and self-control.

If you want to be screened for either of these programs, contact your lawyer, your counselor or Paul Mulloy at 880-3853

12 STEP PROGRAMS

One of the most successful ways of overcoming an addiction to drugs or alcohol is a 12-step program. Meeting in a group with people who share a similar addiction, you work your way through the 12 steps to recovery. The other members of the group support you in your struggle and you, in return, support them.

The jail facilities have separate 12 step programs for people addicted to alcohol and narcotics. If you have an addiction, becoming involved in a 12-step program while you are incarcerated could make your period of being locked up a very positive experience.

The counselor on your floor will have a complete list of when the groups meet and your counselor will be glad to arrange for you to attend these meetings.

MENTAL HEALTH SERVICES

The Metro Public Defender Office employs a licensed clinical social worker to assist our defendants who suffer from a mental illness. Usually these defendants have serious problems with their families, who often do not know how to help their loved ones. All too often people who have mental disorders stop taking their prescribed medications and become sick. They may also become assaultive.

Mary Ann Hea, LCSW, can provide assessments and referrals for those clients who are out of jail but on bond. For some clients who are still in jail, she can take steps to fashion a treatment plan that would address their needs once they are released. The treatment plans include getting case managers for defendants, finding housing, and locating appropriate placements for counseling services and/or drug addiction.

Ms. Hea can sometimes act as a link between the jail clinic, the attorney, and resources in the community. Her phone number is 862-5744.

Additionally, the Davidson County Mental Health Court serves individuals who have been charged with misdemeanor crimes. If you wish to have more information about this court call Ms. Hea or a mental health specialist in that court at 880-2700 or 862-8320.

RELIGIOUS PROGRAMS

The jail offers a wide range of religious programs for residents who are interested. Representatives from just about every faith provide services to the jail (Catholic, Muslim, Baptist, Nazarene, Jehovah's Witness, Church of Christ) as well as several non-denominational groups.

Activities provided by these religious groups include individual counseling, Bible study, and worship services. Everyone is welcome to participate in these activities.

If you are interested in being involved in religious activities, talk to the counselor on your floor. If your faith is not represented, a request can be made through your counselor for appropriate services. Your counselor will have a list of all the activities and tell you how you can be involved.

EDUCATIONAL CLASSES

There are opportunities for furthering your education while you are in the jail. The primary educational opportunities are classes that will help you in getting your GED (Graduation Equivalency Degree). Receiving a GED degree is the same as having a high school diploma.

Educational services are available to address all levels of ability in a confidential manner. In several facilities, self-paced individualized educational classes are available. English as a Second Language classes are available in most facilities as well.

GED classes meet almost every day of the week and are available to everyone. If you are interested in working toward your GED, talk to your counselor and he or she will help you sign up.

There are English as a Second Language classes offered at the Criminal Justice Center, the Hill Detention Center and the Correctional Work Center.

WORK RELEASE

One of the best programs you can do while being locked up is to be on Work Release. Work Release is a program run by the Sheriff's Office out of the Work Release Center. You are allowed to leave the jail during your regular working hours and continue working on your regular job.

If you are interested in Work Release, you must make sure that any sentence you get from the court allows for 0% Work Release eligibility. These means you are immediately eligible for Work Release. You must then contact the counselors down at the Work Release Center who will interview you and have you fill out the application. If your sentence is less than 120 days, your application will be reviewed by the director of the program. If your sentence is more than 120 days, you must go before the Work Release Board who will decide if you are eligible. You can usually be approved for Work Release within a few days of the time you apply. Whether you are approved for work release will depend in part on your prior criminal record.

For your job to be eligible for Work Release, it must be at least 30 hours a week, be within a reasonable distance to the jail, and you must have transportation to and from work. You are not allowed to drive yourself. Your employer may have to write a letter in order for your Work Release to be approved.

The work release counselor's telephone number is 862-8286.

INFORMATION FOR FAMILIES

When a Loved One is Arrested.....	48
County Places Where Inmates are Held.....	49
Counselors.....	50
Visitation Information.....	51
Visitation Schedules.....	52
Inmate Accounts/Money	54

WHEN A LOVED ONE IS ARRESTED

It can be a very frightening and confusing time for you when someone you care about is arrested and charged with a crime. You may feel angry and bitter. You may feel alone, but you are not alone.

The people who work in the Metropolitan Public Defender's Office are here for you. We care about our clients, their families, and their friends. We are here to help.

Hopefully, the information contained in this booklet can answer many of your questions. Be sure to read through the sections that explain the criminal justice process as well as the sections directed to the family because important information is found there, too. If you cannot find the answer to your questions in this booklet, be sure to call our office. If we do not know the answer, we can at least refer you to someone else who can help.

Keep in close contact with your loved one's lawyer. Call him/her as often as you need to and make appointments to talk together in the office. The support of family and friends can be very helpful in working out a good solution to your loved one's legal problems.

COUNTY PLACES WHERE INMATES ARE HELD

It is important for you to know where your loved one is being held because each facility has different rules and schedules. If you do not know where your loved one is being held, call 862-8125. Knowing the inmate's full name and his/her date of birth would be helpful. The six different county facilities in Nashville are:

- 1) Criminal Justice Center
448 Second Avenue North
Nashville, Tennessee 37201
Inmate Information 862-8125
- 2) H. D. Hill Building (HDC or Blackwood)
506 Second Avenue North
Nashville, Tennessee 37201
Inmate Information 862-8288
- 3) Metro Detention Facility
5115 Harding Place
Nashville, Tennessee 37211
Inmate Information 831-7088
- 4) Correctional Work Center or CWC
5113 Harding Place
Nashville, Tennessee 37217
Inmate Information 880-3853
- 5) Day Reporting Center
802 Second Avenue
Nashville, Tennessee 37201
Inmate Information 880-3887

COUNSELORS

If you need to contact someone at the jail about your loved one, the best person to talk to is the counselor.

Building	Unit	Counselor	Extension #
Criminal Justice Center (All counselors numbers are 862-8269 plus the extension listed to the right of their name.)	Juvenile	Julia Crowe	262
	Trustee	Granvisse Earl	262
	3A	Pete Crespo	253
	3B	Tony Wallace	263
	3C	Pete Crespo	253
	3D	Tony Wallace	263
	3E	Jeff Williams	262
	4A	Terri Golden	254
	4B	Terri Golden	254
	4C	Granvisse Earl	264
	4D	Granvisse Earl	264
	5A	Jeff Williams	265
	5B	Jeff Williams	265
	5C	Leon Townsend	255
	5D	Leon Townsend	255
	Medical	Pete Crespo	253
	Administrative	Marsha Travis	232
Hill Building (Call 880-8288 plus the extension listed to the right of their name.)	A, G, H Cells	Tim Jeffers	522
	C Cell, Lower	Jessie Oliver	253
	B Cell	Michelle Tongratanasiri	517
	D, E & F Cell	TBA	524
	Education	Norman Edwards	523
	Volunteers	William Whittaker	523
	Programs	Pamela Hale	862-8279
	Classification	Scott Carpenter	862-8241
CWC (Call 880-3872)			
New Avenues	Director	Paul Mulloy	880-8242
	Counselor	Regina DeRiggi	880-3853
	Counselor	Peggy Frick	880-3853
	Counselor	Bruce Helms	880-3853
SAVE Program	Facilitator	Paul Mulloy	880-8242
Case Managers		Bob Gaskill	880-3864
		Loretta Phillips	880-3864
Chaplain		Wayne Fleming	880-3853
Education		Eddie Maze	880-3864

VISITATION INFORMATION

The officials at the jail recognize the importance of visitation and try to be helpful, but their chief concern is security, so you may be searched for weapons or drugs.

Before you leave to go to the jail to visit a loved one you should make sure to:

1. Carry proper identification, but leave your purse in the car or with a friend.
2. Know the exact location, unit number, floor, cell, and/or bunk of your loved one.
3. Check the visitation time to make sure that you can visit your loved one at that time.
4. Dress modestly.
5. Empty your pockets of any prescription or over the counter drugs and anything that could be considered a weapon.
6. Don't drink alcohol just before going to the jail.
7. Prepare children and other family members for what may be a difficult and frustrating experience.

Once you get to the jail, show respect for jail officials and other visitors.

VISITATION SCHEDULES

Call to verify times before visiting for the first time.

1) Criminal Justice Center (862-8123)

5th Floor	Monday	Saturday
B-Cell	7:00 p.m. - 7:45 p.m.	10:00 a.m. - 10:45 a.m.
C-Cell	8:00 p.m. - 8:45 p.m.	12:00 p.m. - 12:45 p.m.
D-Cell	9:00 p.m. - 9:45 p.m.	1:00 p.m. - 1:45 p.m.
4th Floor	Tuesday	Sunday
B-Cell	7:00 p.m. - 7:45 p.m.	10:00 a.m. - 10:45 a.m.
C-Cell	8:00 p.m. - 8:45 p.m.	12:00 p.m. - 12:45 p.m.
D-Cell	9:00 p.m. - 9:45 p.m.	1:00 p.m. - 1:45 p.m.
3rd Floor	Wednesday	Saturday
A-Cell	6:00 p.m. - 6:45 p.m.	6:00 p.m. - 6:45 p.m.
B-Cell	7:00 p.m. - 7:45 p.m.	7:00 p.m. - 7:45 p.m.
C-Cell	8:00 p.m. - 8:45 p.m.	8:00 p.m. - 8:45 p.m.
D-Cell	9:00 p.m. - 9:45 p.m.	9:00 p.m. - 9:45 p.m.
E-Cell	10:00 p.m. - 10:45 p.m.	8:00 a.m. - 8:45 a.m.
2nd Floor	Thursday	Sunday
C-Cell	7:00 p.m. - 7:45 a.m.	7:00 p.m. - 7:45 p.m.
D-Cell	Tuesday	Friday
	6:00 p.m. - 6:45 a.m.	6:00 p.m. - 6:45 p.m.
Medical	Wednesday	
	10:00 – 10:005 a.m.	

2) Hill Detention (862-8279)

A-Cell	Monday	
	6:30–7:15 p.m.	
B Cell	6:30-7:15 p.m.	
C Cell	7:30-8:15 p.m.	
D Cell	8:30-9:15 p.m.	
	6:30 p.m. - 9:00 p.m.	6:30 p.m. - 9:00 p.m.
	Tuesday	
E Cell	6:30-7:15 p.m.	
F Cell	7:30-8:15 p.m.	
G Cell	8:30-9:15 p.m.	
H Cell	9:30-10:15 p.m.	

	Wednesday
U01-U10	6:30-7:15 p.m.
U11-U21	7:30-8:15 p.m.
L01-L08	8:30-9:15 p.m.
L09-L15	9:30-10:15 p.m.

NO THURSDAY VISITS

	Friday
A-Cell	6:30-7:15 p.m.
B-Cell	6:30-7:15 p.m.
C-Cell	7:30-8:15 p.m.
D-Cell	8:30-9:15 p.m.
	Saturday
E-Cell	6:30-7:15 p.m.
F-Cell	7:30-8:15 p.m.
G-Cell	8:30-9:15 p.m.
H-Cell	9:30-10:15 p.m.
	Sunday
U01-U10	6:30-7:15 p.m.
U11-U21	7:30-8:15 p.m.
L01-L08	8:30-9:15 p.m.
L09-L15	9:30-10:15 p.m.

6) Correctional Work Center

Visitation is schedules by appointment only.

Monday thru Friday

8:00 a.m. – Appointments are
filled

Visitation Clerk 880-3860

5) CCA Facility (831-7088)

For inmate information call 862-8269

INMATE ACCOUNTS/MONEY

All money must be mailed into the Criminal Justice Center in the form of a U.S. Postal Service Money Order. This money will be put on your loved one's account and they can purchase snacks and personal items at the commissary.

You must know the inmate's OCA number to mail money. The inmate cannot release money from his/her account except to an attorney or a bondsman without a court order. Inmate accounts cannot be discussed over the phone.

If your loved one is in the CCA Detention Facility, money can be deposited on Mondays, Tuesdays, Thursdays, and Fridays between 9:30 a.m. - 11:30 a.m. and 1:00 p.m. - 3:00 p.m.

IMPORTANT TELEPHONE NUMBERS

Alcohol and Drug Counseling

Alcoholics Anonymous	831-1050
Al-Anon (for family members of alcoholics).....	385-4404
Alcohol and Drug Council of Middle Tennessee.....	269-0029
Cocaine Anonymous	327-8990
Centerstone Community Mental Health Center	460-4357
Luton Community Mental Health Center.....	279-6700
Meharry (Elam Center) Community Mental Health Center	327-6255
Narcotics Anonymous	297-9762
New Beginnings	255-1185
Public Defender Office (Mary Ann Hea).....	862-5744
Samaritan Center	244-4802
Veteran's Administration Medical Center	327-4751

Bond Office and Bonding Companies

State Bonding Office	862-5670
Aaron Bonding	254-8945
AB Bonding	726-1996
Able Bonding	256-0811
Capitol Bonding	242-4208
Claxton Bonding.....	256-3162
E & W Bonding.....	255-2299
Frazier Bonding.....	242-7376
Nashville Bonding	255-1800
Paul's Bonding.....	254-8900
Rader Bonding.....	242-6371
Slater Bonding.....	256-8333
Sullivan's Bonding.....	254-0009
Wheeler Bonding.....	244-3015

Court Clerks

Criminal Court Clerk.....	862-5602 (General Sessions); 862-5601 (Criminal Court)
Juvenile Court Clerk.....	862-7980
Metro Traffic Violations	862-5222

Education

Cohn Adult Learning Center	298-8053
GED Adult Learning Lab	259-8410
G.E.D. Testing Center	298-8057

Employment

Project Return.....	327-9654
Career Center.....	741-3626; 741-23556
Veterans Employment and Training	736-7680
YWCA.....	269-9922

Emotional Support

Project Return.....	327-9654
Reconciliation/Separate Prisons Support Group.....	292-6371

Food, Clothing and Other Basic Needs

Big Brothers	329-9191
Ladies of Charity	327-3430
Metropolitan Action Commission.....	862-8860
Metropolitan Social Services	862-6400
Salvation Army	242-0411
Second Harvest Food Bank.....	329-3497
United Methodist Bethlehem Center.....	329-3386

Homeless

Operation Stand Down (Veterans only).....	244-5692
Campus for Human Development.....	251-9791
Community Care Fellowship	227-1953
Matthew 25.....	383-9577
Nashville Family Shelter.....	292-0551
Nashville Union Mission.....	255-2475
Nashville Union Mission Family Shelter.....	256-7215
Room in the Inn (November - March)	254-7666
St. Patrick's Shelter.....	256-8195
Salvation Army	242-0411

Housing

Metro Development and Housing Agency.....	252-8400
Section 8 Rental Assistance	252-8480
Applications for MDHA Public Housing.....	252-8590

Inmate Facilities

Criminal Justice Center	862-8125
Hill Building	862-8243
Work Release Center	862-8387
Metro Detention Facility	831-7088
Correctional Work Center	880-3853
Middle Tennessee Reception Center	350-3361
Riverbend Maximum Security Institute	350-3100
Special Needs Institution	350-2700
Tennessee Prison for Women	741-1255

Inmate Information

Bond Office	862-5670
(To find out how much bond is needed for release)	
Department of Corrections Records	741-2773
(Information about sentences and jail credit)	
Pre-Trial Release	862-8520
(Information about release without paying bond)	

Juvenile Court

Juvenile Court Information	862-8010
Juvenile Court Clerk	862-7980
Juvenile Court Probation	862-8060
Juvenile Court Probation	880-3102
Juvenile Court District Attorney's Office	862-8043
CASA	862-8031
Juvenile Court Detention	862-8066
(Note: for visitation of children in detention, the parent or legal guardian must schedule an appointment/visit with the detainee by calling 862-8066 to speak with a counselor.)	

Legal Services

Legal Services of Middle Tennessee	244-6610
(Legal Services can help with legal problems that are not criminal)	
Pro Bono Program	242-8749
(lawyers who represent people in non-criminal cases who cannot afford a lawyer)	

Medical and Health

Bridges to Care.....	259-3567
Downtown Service Center	862-7900
General Hospital.....	341-4393
Lentz Health Center	321-2788
Meharry Hubbard Hospital	327-6611
Matthew Walker Health Center	327-9400
TennCare Information.....	1-800-669-1851
Woodbine Public Health Clinic	862-7940

Mental Health and Counseling

Centerstone Community Mental Health Center.....	460-6000
Family and Children's Service	320-0591
Luton Community Mental Health Center	279-6700
Meharry Community Mental Health Center	327-6484
Mental Health Cooperative	726-3340
Nashville CARES (AIDS counseling).....	259-4866
Oasis Center	327-4455
Park Center.....	242-3576

Probation/Parole

General Sessions Court	862-8380
State Criminal Court.....	963-1100
D.U and Alcohol Safety School.....	862-8355
Parole Office: Middle Tennessee	963-1200

Public Defender's Office

Adult.....	862-5730
Juvenile.....	862-5740
Jail Docket.....	862-5747
FAX.....	862-5736

Social Services

TennCare Information	1-800-669-1851
A.F.D.C.	532-4000
Food Stamps	532-4000
Food Stamp Replacement.....	741-1057
Medicaid	532-4000
Family Services	741-3241
Family Planning	340-5608
Metro Development and Housing	252-8400
Section 8 Rental Assistance	252-8480
Applications for Housing	252-8400
Social Security Administration.....	736-7631

Veterans' Services

Operation Stand Down	321-3919
Disabled American Veterans.....	695-6384
Veterans' Administration Hospital	327-4751
Veteran's Benefits, Regional Office.....	1-800-827-1000

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INFORMATION TO REMEMBER

Attorney _____

Address _____

Phone _____

Court _____

Case # _____

Judge _____

Prosecutor _____

Court Date _____

Jail _____

Address _____

Cell/Bunk _____

Visit Time _____

Counselor _____